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Attorneys for Defendants
Michael R. Neely, Perry J. Neely and Gary Neely

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**PALMTREE ACQUISITION
CORPORATION**, a Delaware corporation,

Plaintiff,

vs.

Case No. CV 08 3168 EMC

**STIPULATION RE EXTENSION OF TIME
TO RESPOND**

Hon. Edward M. Chen

MICHAEL R. NEELY, an individual,
PERRY J. NEELY, an individual; GARY
NEELY, an individual; MICHAEL R.
NEELY, PERRY J. NEELY and GARY
NEELY dba MIKE'S ONE HOUR
CLEANERS; CHARLES FREDERICK
HARTZ dba PAUL'S SPARKLE
CLEANERS; CHARLES F. HARTZ, an
individual; MULTIMATIC
CORPORATION, a New Jersey
corporation; WESTERN STATES
DESIGN, a California corporation;
MCCORDUCK PROPERTIES
LIVERMORE, LLC, a Delaware limited
liability company individually and as the
successor to JOHN MCCORMICK,
KATHLEEN MCCORDUCK, PAMELA
MCCORDUCK, SANDRA
MCCORDUCK MARONA, and IMA
FINANCIAL CORPORATION, a
California corporation; STARK
INVESTMENT COMPANY, a California
general partnership; GRUBB & ELLIS
REALTY INCOME TRUST,

Wendel, Rosen, Black & Dean LLP
1111 Broadway, 24th Floor
Oakland, CA 94607-4036

LIQUIDATING TRUST, a California trust;
and DOES 1-20, inclusive,
Defendants.

STIPULATION

Pursuant to Local Rule 6-1(a), the parties below hereby agree and stipulate to allow Defendants Michael R. Neely, Perry J. Neely, and Gary Neely, dba Mike's One Hour Cleaners, Multimatic Corporation, and Stark Investment Company until September 15, 2008 to answer or otherwise respond to the Complaint of Palmtree Acquisition Corporation

DATED: _____

Cox, Castle & Nicholson, LLP

By _____

Peter M. Morrisette
Attorneys for Plaintiff
Palmtree Acquisition Corporation

DATED: 9/2/08

Wendel, Rosen, Black & Dean, LLP

By _____

Christine K. Noma
Attorneys for Defendants
Michael R. Neely, Perry J. Neely, and
Gary Neely, dba Mike's One Hour Cleaners

DATED: September 1, 2008

Dongell Lawrence Finney, LLP

By _____

Thomas A. Vandenburg
Ian Culver
Attorneys for Defendant Multimatic
Corporation

LIQUIDATING TRUST, a California trust;
and DOES 1-20, inclusive,
Defendants.

STIPULATION

Pursuant to Local Rule 6-1(a), the parties below hereby agree and stipulate to allow Defendants Michael R. Neely, Perry J. Neely, and Gary Neely, dba Mike's One Hour Cleaners, Multimatic Corporation, and Stark Investment Company until September 15, 2008 to answer or otherwise respond to the Complaint of Palmtree Acquisition Corporation

DATED: 9/2/2008

Cox, Castle & Nicholson, LLP

By Peter M. Morrisette
Peter M. Morrisette
Attorneys for Plaintiff
Palmtree Acquisition Corporation

DATED: _____

Wendel, Rosen, Black & Dean, LLP

By _____
Christine K. Noma
Attorneys for Defendants
Michael R. Neely, Perry J. Neely, and
Gary Neely, dba Mike's One Hour Cleaners

DATED: _____

Dongell Lawrence Finney, LLP

By _____
Thomas A. Vandenberg
Ian Culver
Attorneys for Defendant Multimatic
Corporation

1 DATED: _____

GONSALVES & KOZACHENKO

2 

3 By: _____
4 Paul Kozachenko, Esq.

5 Attorneys for Stark Investment Company
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1111 Broadway, 24th Floor
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PROOF OF SERVICE

I, Eileen M. Dunbar, declare:

I am a citizen of the United States and am employed in Alameda County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 1111 Broadway, 24th Floor, Oakland, California 94607-4036. On September 2, 2008, I served a copy of the within document(s):

STIPULATION RE EXTENSION OF TIME TO RESPOND

☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. The facsimile machine I used complied with California Rules of the Court, Rule 2003, and no error was reported by the machine. Pursuant to California Rules of the Court, Rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this Proof of Service.

☒ at my business address identified above by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, and by placing the envelope, addressed as set forth below, for deposit in the United States Postal Service that same day in the ordinary course of business. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ by placing the document(s) listed above in a sealed _____ envelope with overnight delivery fees paid or provided for, addressed to the person(s) on whom it is to be served, at the address(es) set forth below, and causing the envelope to be delivered that same date to a _____ courier or driver authorized by the express service carrier to receive documents for delivery.

☐ by personally delivering true and correct copies of the document(s) listed above in a sealed envelope, addressed to the person(s) at the address(es) set forth below, by leaving the envelope, which was clearly labeled to identify the attorney(es) being served, with the receptionist or other person apparently in charge at the address(es) set forth below.

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Company*

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San Francisco, CA 94104

*Representative for Grubb & Ellis
Realty Income Trust Liquidating Trust*

- ☐ I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
- ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 2, 2008, at Oakland, California.



Eileen M. Dunbar

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